

Central Intelligence Agency



Washington, D.C. 20505

9 April 2019

Ms. Mackenzie Farkus
MuckRock News
DEPT MR 70397
411A Highland Avenue
Somerville, MA 02144

Reference: F-2019-01183

Dear Ms. Farkus:

This is further to our letter dated 27 March 2019 regarding your 11 March 2019 Freedom of Information Act (FOIA) request for **files on or related to Felix Guattari**. We noted in our prior correspondence that we might need to contact you for additional information or clarification. Specifically, we are reaching out to you because although you have provided some of the identifying information required before we can effectively search our files on an individual, we still need additional data before we can begin processing your request. Without this data, we may be unable to distinguish between individuals with the same or similar names. Specifically, we require the individual's:

- ✓ *Full name*
- ✓ *Date and place of birth*
- ✓ *Date and place of death*
- ✓ *Evidence of death*
- ☐ *Living party signed affidavit: Freedom of Information Act-Certification of Identity Form and copy of Code of Federal Regulations Vol. 32§ 1900.32(b) information (enclosed).*

If the individual is deceased, we also require some *evidence of death*, such as a death certificate, an obituary, or a press statement to ensure there are no privacy considerations. A website link in itself does not satisfy the proof of death requirement. Please provide the actual documentation and source. Proof of death is not required if date of birth is 100 years ago or greater.

Agency regulations encourage requesters seeking information on *living* third parties to provide a signed affidavit or declaration from the third parties waiving all or some of their privacy rights. We can search without this authorization, but if we locate responsive records, privacy concerns may require us to protect the information from release.

FOIA exemption (b)(6) requires us to protect information "the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." In reaching this determination, we use the test our regulations outline at 32 CFR § 1900.32(b): "the Agency will balance the privacy interests that would be compromised by disclosure against the public interest in release of the requested information." Therefore, the waiver will assist us with this determination.

Please be advised, the FOIA authorizes federal agencies to collect fees for records services. Based on the information provided in your letter, we determined that your request falls into the "all other" fee category, which may require you to pay applicable search and copying fees (if any exist) beyond the first 100 pages of reproduction and the first two hours of search time, which are free. Copies are ten cents per page.

If we do not hear from you by 12 June 2019, we will close your request as it is not reasonably described.

Please send requested information to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

If you prefer to fax in your information, our facsimile is 703-613-3007.

Sincerely,

A handwritten signature in black ink, appearing to read "Riggs Monfort", written in a cursive style.

Riggs Monfort
Information and Privacy Coordinator

Enclosures



Central Intelligence Agency
Information and Privacy Coordinator
Washington, DC 20505 Fax (703)613-3007

FREEDOM OF INFORMATION ACT - CERTIFICATION OF IDENTITY

Privacy Act Statement: In accordance with 32 CFR Section 1901.13 personal data to identify the individual submitting requests by mail or by Facsimile under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this form is to ensure that the records of individuals are not wrongfully disclosed by Central Intelligence Agency (CIA). Requests will not be processed if all of this information is not furnished. False information on this form may subject the requester to criminal penalties under 5 U.S.C. Section 552a(i)(3).

Your Name (Last, First, Middle) – Mr/Mrs/Ms: _____

Current Mailing Address and Phone: _____

Subject's Full Name (Last, First, Middle): _____

Any Other Names Used? _____

Date of Birth: ____/____/____ Place of Birth (City, State/Country): _____

Month Day Year

Date of Death: ____/____/____ Place of Death (City, State/Country): _____

Month Day Year

SUBJECT'S CITIZENSHIP STATUS (Please Check One)

____ US Citizen Social Security Number ¹ ____ - ____ - ____

OR

Other Country: _____

Specific Records of Interest: _____

COMPLETE THIS SECTION IF YOUR SUBJECT IS LIVING

Authorization to Release Information to Another Person: This section is to be completed by a requester who is authorizing information relating to him/herself to be released to another person. Further, pursuant to 5 U.S.C. 552a(b), I authorize the CIA to release any and all information relating to me to the following:

Print name and address to who records should be released

Subject's Signature: _____ Date: _____

¹ Providing your subject's social security number is voluntary. You are asked to provide the social security number only to facilitate the identification of records. Without the social security number, we may be unable to locate any or all records.

Code of Federal Regulations, Vol. 32
Chapter XIX (7-1-17 Edition)

**§ 1900.32 Procedures for information
concerning other persons.**

(a) *In general.* Personal information concerning individuals other than the requester shall not be disclosed under the Freedom of Information Act if the proposed release would constitute a clearly unwarranted invasion of personal privacy. See 5 U.S.C. 552(b)(6).

For purposes of this section, the following definitions apply:

(1) *Personal information* means any information about an individual that is not a matter of public record, or easily discernible to the public, or protected from disclosure because of the implications that arise from Government possession of such information.

(2) *Public interest* means the public interest in understanding the operations and activities of the United States Government and not simply any matter which might be of general interest to the requester or members of the public.

(b) *Determination to be made.* In making the required determination under this section and pursuant to exemption (b)(6) of the FOIA, the Agency will balance the privacy interests that would be compromised by disclosure against the public interest in release of the requested information.

(c) *Otherwise.* A requester seeking information on a third person is encouraged to provide a signed affidavit or declaration from the third person waiving all or some of their privacy rights. However, all such waivers shall be narrowly construed and the Coordinator, in the exercise of his discretion and administrative authority, may seek clarification from the third party prior to any or all releases.